


Randal S. Mashburn
U.S. Bankruptcy Judge



Dated: 9/28/2020

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re:

CAPSTONE PEDIATRICS, PLLC,

Debtor.

Case No. 3:19-bk-01971

Chapter 11

Judge Randal S. Mashburn

**AGREED ORDER GRANTING VCM SMYRNA LP'S
MOTION FOR ALLOWANCE OF ADMINISTRATIVE EXPENSES**

Before the Court is *VCM Smyrna LP's Motion for Allowance and Immediate Payment of Administrative Expenses* [Dkt. No. 269] (the "**Motion**")¹, for entry of an order pursuant to sections 365(d)(1), 365(d)(3), 503(a), and 503(b)(1) of title 11 of the United States Code (the "**Bankruptcy Code**"), authorizing the allowance and immediate payment of unpaid Rent, filed by VCM Smyrna LP f/k/a Four Plus Corporation ("**VCM Smyrna**"), and the above-captioned debtor's (the "**Debtor**") *Limited Objection to VCM Smyrna LP's Motion for Allowance and Immediate Payment of Administrative Expenses* [Dkt. No. 277] (the "**Limited Objection**") and CDS Business Services, Inc. d/b/a Newtek Business Credit ("**CDS**") joinder to the Limited Objection [Dkt. No. 278] (the "**Joinder**"). As evidenced by the signatures of undersigned counsel, each of VCM Smyrna, the Debtor, CDS and the U.S. Trustee desire to enter this *Agreed Order Granting VCM Smyrna LP's Motion for Allowance of Administrative Expenses*, as follows:

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED to the extent provided herein.

¹ Capitalized terms used but not defined herein shall have the meanings set forth in the Motion.

2. VCM Smyrna's claim for unpaid Rent is hereby allowed pursuant to sections 503(a) and 503(b)(1) of the Bankruptcy Code, in the total amount of **\$11,081.70**, on a full and final basis as an administrative expense claim entitled to priority under section 503(b)(1) of the Bankruptcy Code, and such claim shall not be subject to further objection by the Debtor and/or any other party in interest (the "***Allowed Administrative Expense Claim***").

3. VCM Smyrna concedes that the Debtor's bankruptcy estate is currently administratively insolvent and thus shall forgo immediate payment in full of the Allowed Administrative Expense Claim, until such a time as funds become available.

4. Any applicable stay of this Order is hereby waived.

5. This Court retains jurisdiction to hear and determine all matters arising from and/or related to the implementation and/or interpretation of this Order.

<p style="text-align: center;"><i>THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE PAGE</i></p>
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SUBMITTED FOR ENTRY BY:

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